IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION (Lodg) NO.237 OF 2005

Ornate Multi-Model Carriers Pvt. Ltd. ... Petitioners.

vs.

Central Ware Housing Corporation . ... Respondents.

Mr.R.S.Datar, for Petitioners.

Ms.S.I.Shah, for Respondents..

CORAM: D.K.DESHMUKH,J.

DATED: 3rd May,2005

P.C.:-

1. The learned Counsel for both the sides have unanimously stated that the Arbitrator pursuant to the arbitration clause, has been appointed. In this view of the matter therefore, in my opinion, as an application for relief which is claimed by this petition can be made before the learned Arbitrator, it is not necessary for this Court to entertain this petition. It is, however, directed that in case the bank guarantee which is mentioned in prayer clause (a) of this petition is encashed by the respondents, the encashment would be subject to interim

order that the Arbitrator may pass on an application to be made by the petitioners. Petition disposed of.

C.C. be expedited.